

# HOUSE BILL 852

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2lr0520

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By: **Delegate Conway**

Introduced and read first time: February 9, 2012

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Division of Correction – Length of Sentence**

3 FOR the purpose of altering a certain provision of law so as to prohibit a judge from  
4 sentencing an individual to the jurisdiction of the Division of Correction for 12  
5 months or less unless the individual is an inmate under the jurisdiction of the  
6 Division of Correction; and generally relating to criminal sentencing.

7 BY repealing and reenacting, with amendments,  
8 Article – Correctional Services  
9 Section 9–104  
10 Annotated Code of Maryland  
11 (2008 Replacement Volume and 2011 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article – Correctional Services**

15 9–104.

16 (a) This section does not apply to an individual sentenced in Baltimore City.

17 (b) Notwithstanding any other law, a judge may not sentence an individual  
18 to the jurisdiction of the Division for 12 months or less unless[:

19 (1) the sentence is for an offense committed by an inmate in a  
20 correctional facility under the jurisdiction of the Division; and

21 (2)] the **INDIVIDUAL IS AN** inmate [is still] under the jurisdiction of  
22 the Division.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2012.